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|   |                                     | Application Number     |  | 10/618,403   |
| TRANSMITT   | Filing Date                         |                        | July 11, 2003                                      |  |
| FORM  |                                     | First Named Inventor   |  | Charles E. HEGER   |
| (to be used for all correspondence after initial filing)  |                                     | Art Unit               |  | 2858   |
|   |                                     | Examiner N             | ame  | V. Nguyen  |
| Total Number of Pages in This Submission 13   |                                     | Attorney Docket Number |  | 549242002300   |
| ENCLOSURES (Check all that apply)   |                                     |                        |  |  |
| Fee Transmittal Form  | Drawing(s)                          |                        |  | After Allowance Communication to TC                            |
| Fee Attached  | Licensing-related Papers            |                        |  | Appeal Communication to Board of Appeals and Interferences     |
| X Amendment/Reply (12 pages)  | Amendment/Reply (12 pages) Petition |                        |  | Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| After Final Petition to Convert to Provisional Application  |                                     |                        |  | Proprietary Information  |
| Affidavits/declaration(s)  Power of Attorney, R Change of Correspo  |                                     |                        |  | Status Letter  |
| Extension of Time Request   | claimer                             |                        | Other Enclosure(s) (please Identify below):        |  |
| Express Abandonment Request   | Refund                              |                        | Return Receipt Postcard                            |  |
| Information Disclosure Statement  | of CD(s)                            |                        |  |  |
| Certified Copy of Priority Document(s)  |                                     |                        |  |  |
| Reply to Missing Parts/<br>Incomplete Application   |                                     |                        |  |  |
| Reply to Missing Parts under 37 CFR 1.52 or 1.53  |                                     |                        |  | •  |
|   |                                     |                        |  |  |
|   |                                     |                        |  |  |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  |                                     |                        |  |  |
| MORRISON & FOERSTER LLP (Customer No. 25226)  |                                     |                        |  |  |
| Signature Signature   |                                     |                        |  |  |
| Printed name Bryan H. Wyman   |                                     |                        |  |  |
| March 1, 2005   |                                     |                        | Reg. No.   | 48,049   |
|   |                                     |                        |  |  |
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV335376625US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. |                                     |                        |  |  |
| Dated: March 1, 2005 Signature: Juoqua Walo (Georgina Matos)  |                                     |                        |  |  |

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ed: March 1, 2005 Signature: Delogue W

Docket No.: 549242002300

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Patent Application of:

Charles E. HEGER

Application No.: 10/618,403

Confirmation No.: 5528

Filed: July 11, 2003

Art Unit: 2858

For: DUAL AXIS CAPACITIVE LEVEL SENSOR

Examiner: V. Nguyen

## **RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

## INTRODUCTORY COMMENTS

This is in response to the non-final Office Action dated December 1, 2004 (Paper No. 20041128) for which a response is due on March 1, 2005. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.